

**REGULAR MEETING
ENFORCEMENT AND RESOURCE PROTECTION COMMITTEE
SEPTEMBER 27, 2006 – 2:00 P.M.
LAW ENFORCEMENT CENTER CONFERENCE ROOM**

1. Call to Order – Roll Call: Meeting was called to order by Gary Besaw at 2:05 p.m. Members present: Cara Thunder, Mark Waukau, Gary Schuettepelz, Lynette Miller, Joan Delabreau, Walter Cox, William Kussel and Brian Lepscier. Members absent: Barb Nelson-excused. A quorum was present. Also present: Warren Warrington, Richard Dodge, Nolan Mahkemitas and David Wynos.

2. Moment of Silence: A moment of silence was observed.

3. Approval of Minutes dated May 24, 2006 and August 28, 2006-

Motion made by Walter Cox to approve the minutes of May 24, 2006 and August 28, 2006 minutes as submitted. Second was by Gary Schuettepelz. All those in favor signify by saying aye. Motion carried: 5 for, 0 opposed, 2 abstentions (Miller and Delabreau), and 1 absent (Nelson).

4. Road Damage/Safety & Enforcement: Ben Warrington-

Motion made by Lynette Miller to table this item until later. Second was by Cara Thunder. All those in favor signify by saying aye. Motion carried: 5 for, 0 opposed, 0 abstentions, and 1 absent (Nelson).

5. MTPD-Arrest/Jurisdictional Protocols: Warren Warrington

The concerns from the last meeting were to remove the jail portion from these protocols and place them within the jail procedures as these jurisdictional protocols are for road service. The consensus of the Committee was to delete # 3 on Page 2 in its entirety and have the tribal police department resubmitted the jurisdictional protocol document with corrections.

Motion made by Joan Delabreau to recommend to the Legislature to approve Volume 4-Law Enforcement Operations; Chapter 1-Primary Law Enforcement Functions; Section 23; Extradition-with the necessary changes as submitted. (Procedure # 2 will be struck entirely and that procedure # 3, third sentence will be “from” not form). Second was by Walter Cox. All those in favor signify by saying aye. Motion carried: 6 for, 0 opposed, 1 abstention (Waukau) and 1 absent (Nelson).

6. Tazer Use Update-

This item will be removed from the agenda as this is part of the Chief of Police report that is already submitted to the Committee on a monthly business.

The Committee was informed that the policy for review on incident reports is silent when it comes to family relationships. The patrolman files his report and then it is reviewed by his immediate supervisor. Who determines that the report is closed? The captain or master sergeant would determine if this is a closed item. The Tribal Police department will develop a policy and have the Committee review it for approval.

7. Review Monthly Reports & Junk Car Citations-

Gaming Commission- Two Menominee Tribal Legislatures have not completed their background checks to date.

Conservation-will still operate this fiscal year short one game warden.

Chief of Police –paragraphs within the report are showing the same information from last month. Investigator's report is also showing the same information as the last month. There are active cases but you can not tell from the reports what cases were closed. Are the cases still on-going or are they new? Why does our report go to the State agency? There is no correlation to the numbers that are given for population. If the maximum population is 45- 50, the numbers in the reports are not matching up. How many arrests, who is housed; these numbers do not match up. The Tribal Police Department will contact MIS to change report forms.

Any type of work or educational release has to be approved by the sentencing judge. It would be up to the judge to determine what time the release is, how many hours and length of time. It would be different in the County system as the Sheriff runs the jail. Huber privileges have to be pre-paid before our jail will release them.

The task function in Microsoft Outlook is being utilized to keep within the timeframe of any case that is open.

Junk car citations- This is an issue that keeps coming back every meeting. Regardless of who is responsible for the enforcement area of this ordinance, this item needs to be addressed. Take a few pictures of the junk cars on the Reservation and get the word out there that we will be issuing and removing junk cars. Housing can take care of their area. A suggestion from Richard Dodge was to have officers on each shift issue one citation per day and this should get the ball rolling.

Walter Cox stated Conservation will focus on the abandoned trailer homes in the woods to comply with the junk yard ordinance. William Kussell left the room to find out how the prosecution side was going on these. When Mr. Kussell returned, the citations that have been issued were sent to the Courts to be fined. If the person complied, their fine was reduced.

8. BIA/LES Standards Review-Internal Affairs-

The Tribal Police Department handed out corrected copies of LES Volume 6, Chapter 2, and Section 1 for approval. The BIA has already approved this document and the Tribal Police are now looking for Tribal approval. As these copies have just been handed out, the Committee would like time to review this and will table this item until next meeting.

Motion made by Lynette Miller to table this item until the next meeting. Second was made by Joan Delabreau. Motion carried: 6-for, 0-opposed, 0-abstentions, 1-absent (Nelson),

9. Proposed Drug Ordinance (#80-17) Amendments: David Wynos-

We were looking for 3 or 4 specific amendment changes: trafficking, paraphernalia, and methadone applications. The State of Wisconsin has approved 7 updates to their laws and we will update our Ordinance to reflect the State's. Once the Committee can get the recommended changes to the Ordinance, they will be willing to form an Ad Hoc Group to declare war on drugs. Some of the key players would include Maehnowesekiyah, Tribal Social Services, and a representative from all the schools. This Ad Hoc Group would then formulate a plan of action and bring this information back to the Committee for approval. Anonymous tip hotline, workshops to alert the community on what to look for and random traffic stops are some of the possibilities for the war on drugs.

10. Clean Up of Clandestine Drug Labs-Attorney Report: Frank McLellan-

There is no appeal process anywhere within the Ordinance. This Ordinance was for clandestine drug labs but it has been incorporated into the public nuisance ordinance. Who is responsible for the drug lab when it is found: The owner, lessee, lessor? Example: If someone is renting a room at the Casino and the renter is found, does this Ordinance make the Casino liable. Mr. Kussell will meet with Rob Orcutt to make the changes to the ordinance and bring this back to the Committee.

11. Other Business:

Randy Chevalier has invited the Committee to a Town Hall meeting on underage drinking tonight from 6-8 p.m. This is also a food drive so bring a can of food.

The Governmental Affairs Committee is also going to be meeting on the issuance of driver licenses by the Menominee Indian Tribe. Gary Besaw will keep the Committee informed of this item.

Campaign signs are being nailed into the trees. We asked Community Development to look into this issue.

The Sex Offenders Committee has been notified and will be tentatively meeting on October 18, 2006. No time has been set yet.

The proxy voting issue will be placed onto the agenda for next meeting.

A parking citation draft ordinance will be placed onto the next agenda.

The legal department is being restructured. The Tribe has posted for a lead attorney who will oversee all components.

12. Adjournment: Motion made by Cara Thunder to adjourn the meeting. Second was by Gary Schuettpelez. Meeting adjourned at 4:30 p.m.

Respectfully submitted by,

Linda Peters, Recorder
Legislative Staff